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The situation in the occupied territories of Azerbaijan

Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 7 June 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In addition to my letter of 1 June 2007 (A/61/938-S/2007/327), I have the honour to transmit herewith resolution 7/34-P entitled "The Aggression of the Republic of Armenia against the Republic of Azerbaijan", adopted by the thirty-fourth session of the Islamic Conference of Foreign Ministers, held from 15 to 17 May 2007 in Islamabad (see annex I), and the report of the Secretary-General of the Organization of the Islamic Conference on the aggression of the Republic of Armenia against the Republic of Azerbaijan (see annex II).

I should be grateful if the present letter and its annexes were distributed as a document of the General Assembly, under agenda items 17 and 27, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

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Annex I to the letter dated 7 June 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Resolution No. 7/34-P on the aggression of the Republic of Armenia against the Republic of Azerbaijan

The Thirty-Fourth Session of the Islamic Conference of Foreign Ministers (Session of Peace, Progress and Harmony), held in Islamabad, Islamic Republic of Pakistan from 28-30 Rabi Al-Thani 1428 A.H (15-17 May 2007);

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference;

Gravely concerned over the aggression by the Republic of Armenia against the Republic of Azerbaijan which has resulted in the occupation of about 20 percent of the territories of Azerbaijan;

Expressing its profound concern over continued occupation of significant part of the territories of Azerbaijan and illegal transfer of settlers at the Armenian nationality to those territories;

Deeply distressed over the plight of mare than one million Azerbaijani displaced persons and refugees resulting from the Armenian aggression and over magnitude and severity of these humanitarian problems;

Reaffirming all previous relevant resolutions and, in particular, the Resolution No. 21/10-P(IS), adopted by the Tenth Session at the Islamic Summit Conference held in Putrajaya, from 20 to 21 Shaban, 1424H (16-17 October 2003);

Urging strict adherence to the Charter of the UN and full implementation of the relevant Security Council resolutions;

Welcoming all diplomatic and other efforts for the settlement of the conflict between Armenia and Azerbaijan;

Reaffirming commitment by all Member States to respect the sovereignty, territorial integrity and political independence at the Republic of Azerbaijan;

Noting also the destructive influence of the policy of aggression of the Republic of Armenia on the peace process within the OSCE framework;

Taking note of the Report of the Secretary General (Document No. OICIICFM-34/POLISG-REP.6).

1. **Strongly condemns** the aggression of the Republic of Armenia against the Republic of Azerbaijan.

2. **Considers** the actions perpetrated against civilian Azerbaijani population in the occupied Azerbaijani territories as crimes against humanity.

3. **Strongly condemns** any looting and destruction of the archeological, cultural and religious monuments in the occupied territories of Azerbaijan.

4. **Strongly demands** the strict implementation of the United Nations Security Council resolutions 822, 853, 874 and 884, and the immediate, unconditional and complete withdrawal of Armenian forces from all occupied Azerbaijani territories including the Nagorno-Karabakh region and strongly urges Armenia to respect the sovereignty and territorial integrity of the Republic of Azerbaijan.

5. **Expresses its concern** that Armenia has not yet implemented demands contained in the above stated UN Security Council resolutions.

6. **Calls on** the UN Security Council to recognize the existence of aggression against the Republic of Azerbaijan; to take the necessary steps under Chapter VII of the Charter of the United Nations to ensure compliance with its resolutions; to condemn and reverse aggression against the sovereignty and territorial integrity of the Republic of Azerbaijan, and decides to take coordinated action to this end at the United Nations.

7. **Urges all** States to refrain from providing any supplies of arms and military equipment to Armenia, in order to deprive the aggressor of any opportunity to escalate the conflict and to continue the occupation of the Azerbaijani territories. The territories of the Member States should not be used for transit of such supplies.

8. **Calls upon** Member States, as well as other members of the international community, to use such effective political and economic measures as required in order to put an end to Armenian aggression and occupation of the Azerbaijani territories.

9. **Calls for** a just and peaceful settlement of the conflict between Armenia and Azerbaijan on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized borders.

10. **Decides** to instruct the Permanent Representatives of Member States at the United Nations in New York, while voting at the UN General Assembly, to give full support to the issue of territorial integrity of the Republic of Azerbaijan.

11. **Urges** Armenia and all Member States of the OSCE Minsk Group to engage constructively in the ongoing OSCE peace process on the basis of the relevant resolutions of the UN Security Council and the relevant OSCE decisions and documents, including those of the First Additional Meeting of the OSCE Council of 24 March 1992, OSCE Summits of 5-6 December 1994, 2-3 December 1996, 18-19 November, 1999, and refrain from any action that will make it more difficult to reach a peaceful solution.

12. **Expresses its full** support for the three principles of the settlement of the armed conflict between Armenia and Azerbaijan contained in the statement of the OSCE Chairman-in-Office at the 1996 Lisbon OSCE Summit, namely the territorial integrity of the Republic of Armenia and the Republic of Azerbaijan, highest degree of self-rule of the Nagorno-Karabakh region within Azerbaijan and guaranteed security for this region and its whole population.

13. **Stresses** that fait accompli may not serve as a basis for a settlement, and that neither the current situation within the occupied areas of the Republic of Azerbaijan, nor any actions, including arranging voting process, undertaken there to consolidate the status quo, may be recognized as legally valid.

14. **Demands** to cease and reverse immediately the transfer of settlers of the Armenian nationality to the occupied territories of Azerbaijan, which constitute a blatant violation of international humanitarian law and has a detrimental impact on the process of peaceful settlement of the conflict, and agrees to render its full support to the efforts of Azerbaijan undertaken to this end, including at the General Assembly of the United Nations, inter alia, through their respective Permanent Missions to the United Nations in New York.

15. **Requests** the OIC Member States to encourage their legal and physical persons not to be engaged in economic activities in the Nagorno-Karabakh region and other occupied territories of Azerbaijan.

16. **Expresses** its support to the activities of the OSCE Minsk Group and consultations held at the level of the Foreign Ministers of Azerbaijan and Armenia and its understanding that a step-by-step solution will help to ensure gradual elimination of the most serious consequences of the aggression against the Republic of Azerbaijan.

17. **Requests** the Secretary General to communicate the principled and firm position of the OIC vis-à-vis the Armenian aggression against the Republic of Azerbaijan, to the current Chairman of the Organization for Security and Cooperation in Europe.

18. **Reaffirms** its total solidarity with and support for the efforts undertaken by the Government and people of Azerbaijan to defend their country.

19. **Calls** for enabling the displaced persons and refugees to return to their homes in safety, honour and dignity.

20. **Expresses its appreciation** to all Member States which have provided humanitarian assistance to the refugees and displaced persons and urges all the others to extend their contribution to these people.

21. **Expresses its concern** over the severity of humanitarian problems concerning the existence of more than one million displaced persons and refugees in the territory of the Republic of Azerbaijan and requests the OIC Member States, the Islamic Development Bank and other Islamic Institutions to render much needed financial and humanitarian assistance to the Republic of Azerbaijan.

22. **Considers** that Azerbaijan has the right for appropriate compensation with regard to damages it suffered as a result of the conflict and puts the responsibility for the adequate compensation of these damages on Armenia.

23. **Requests** the Secretary-General to follow up the implementation of this resolution and to report thereon to the Thirty-fifth Session of the Islamic Conference of Foreign Ministers.

Annex II to the letter dated 7 June 2007 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Report of the Secretary-General of the Organization of the Islamic Conference on the aggression of the Republic of Armenia against the Republic of Azerbaijan

1. This report covers the activities of the OIC that took place from July 2006 to March 2007 regarding the Armenia-Azerbaijan Nagorno-Karabakh conflict.

2. Almost 20 years after the aggression of the Republic of Armenia against the Republic of Azerbaijan, the Armenia-Azerbaijan Nagorno-Karabakh conflict remains unresolved and 20% of the territory of Azerbaijan, including the Nagorno-Karabakh region and seven other regions of Azerbaijan continue to be under occupation, despite the various efforts and negotiations that have taken place.

3. The ongoing Armenian aggression against the Republic of Azerbaijan since 1988 has resulted in violent displacement of more than one million Azerbaijanis from their homes. This situation has caused a large-scale humanitarian crisis.

The OIC's Condemnation:

4. The OIC, through its various Resolutions, has condemned the Armenian aggression and continued occupation of the Azerbaijani territories by Armenia.

5. The OIC Resolutions urged Armenia to comply with the UN Security Council Resolutions No.822, 853, 874 and 884 of 1993. The latest of the OIC Resolution was No. 12/10-P(IS) adopted by the Tenth Summit held in Putrajaya, Malaysia, October 2003 and 9/33-P adopted by the 33rd ICFM, held in Baku, Azerbaijan, June 2006. Both Resolutions demanded the immediate, unconditional and complete withdrawal of Armenian forces from all occupied territories of Azerbaijan.

6. On the incidents of massive fires that took place in the eastern part of the occupied territories of Azerbaijan in 2006 where a number of towns, villages, agricultural lands, cultural and historical monuments existing flora and fauna had been destroyed or burnt, the OIC demanded from Armenia as the occupying power to take urgent measures to prevent ecological disaster. The fires have made those territories unsuitable for living and cultivating, and inflicted damage to the ecological system of those occupied territories and other neighboring areas of Azerbaijan.

7. With regard to the so-called "parliamentary elections" held by the Armenian side on the occupied territories of Azerbaijan in December 2006, the OIC condemned these elections as illegal stating that this was against international law and in particular the provisions of the 1949 Geneva Convention.

Cooperation with UN and OSCE:

8. The OIC, in cooperation with the United Nations and the Organization for Security and Cooperation in Europe (OSCE), will continue to support the process of finding a peaceful solution of the conflict. In this context, I supported the talks between the Foreign Ministers of Azerbaijan and Armenia, which have taken place within the recent years.

OIC Delegation visited IDPs and Refugees:

9. Upon the invitation of the Government of the Republic of Azerbaijan, in September 2006 the OIC delegation visited the temporary settlements for refugees and IDPs in Narimanov, Binagadi, Saatly, Imishi and Bilasuvar districts of Azerbaijan. The mission has identified that despite commendable efforts of the Government of Azerbaijan these refugees and IDPs are living under difficult conditions and this grave situation requires constant and focused attention of the international community. Only 6 Islamic Organizations are among humanitarian agencies presently providing assistance to these refugees and IDPs.

Appeal to render assistance to refugees and IDPs:

10. In view of the importance to assist the IDPs and refugees in Azerbaijan, I have requested all Member States, IDB, Islamic Solidarity Fund (ISP) and international community, as well as the humanitarian organizations to generously assist these refugees and IDPs, suffering from the severe consequences of the conflict. To this end I also recommend to consider establishing an OIC Trust Fund for assistance to IDPs and refugees in Azerbaijan.

Member States' strong support:

11. On the issue of the aggression of the Republic of Armenia against the Republic of Azerbaijan I appeal to the OIC Member States to exert their utmost effort to support the settlement process of the Armenia-Azerbaijan Nagorno-Karabakh conflict on the basis of norms and principles of international law, as well as in conformity with the relevant UN Security Council Resolutions, and to continue extending theft strong political support, in particular in the international organizations, to the Government of Azerbaijan on the issue of full restoration of its territorial integrity and sovereignty.

12. This report is submitted to the 34th Islamic Conference of Foreign Ministers for appropriate decision.